

**MINUTES OF THE
HEALTH AND HUMAN SERVICES INTERIM COMMITTEE**
Wednesday, September 12, 2001 – 9:00 a.m. – Room 416 State Capitol

Members Present:

Rep. Carl R. Saunders, House Chair
Sen. D. Edgar Allen
Sen. Peter C. Knudson
Rep. Patrice Arent
Rep. Trisha S. Beck
Rep. Glenn A. Donnelson
Rep. Bryan Holladay
Rep. Patricia W. Jones
Rep. David Litvack
Rep. Rebecca D. Lockhart
Rep. Carol Spackman Moss
Rep. Paul Ray

Rep. Jack A. Seitz
Rep. Mike Thompson
Rep. Glenn Way

Members Absent:

Sen. Terry R. Spencer, Senate Chair
Rep. Wayne Harper

Staff Present:

Mr. Mark D. Andrews, Research Analyst
Ms. Catherine J. Dupont, Associate General Counsel
Mr. Paul W. Hess, Associate General Counsel
Ms. Sandra Wissa, Legislative Secretary

Note: A list of others present and a copy of materials can be found at <http://www.image.le.state.ut.us/imaging/history.asp> or contact the Office of Legislative Research and General Counsel.

1. Call to Order and Approval of June 20 and July 18, 2001 Minutes

Chair Saunders called the meeting to order at 9:04 a.m.

MOTION: Rep. Seitz moved to approve the minutes of the June 20, and the July 18, 2001 meetings. The motion passed unanimously with Rep. Arent, Rep. Holladay, Rep. Lockhart, Rep. Moss, Rep. Thompson, and Rep. Way absent for the vote.

2. Report of the Tobacco Subcommittee

Ms. Catherine J. Dupont, Associate General Counsel, OLRGC (Office of Legislative Research and General Counsel), distributed and reviewed a handout "Health and Human Services Interim Committee Tobacco Subcommittee Report." She also reviewed draft legislation recommended by the subcommittee as listed in the subcommittee report.

Committee discussion followed.

MOTION: Rep. Way moved to adopt the draft legislation "Technical Amendments to Tobacco Settlement Trust Fund" as a committee bill. The motion passed with Rep. Donnelson voting in opposition and Rep. Holladay absent for the vote.

Ms. Dupont reviewed the draft legislation "Use of Tobacco Settlement Interest Proceeds."

Mr. Spencer Pratt, Fiscal Analyst, Office of Legislative Fiscal Analyst, provided information about the amount of interest to be added to Department of Health tobacco programs referenced in this draft legislation.

Ms. Rebecca Giles, Manager, Tobacco Prevention and Control Program, Department of Health, reviewed the department's programs and answered questions from the committee. She indicated that there are only two counties which are receiving adequate funds.

Committee discussion followed.

Ms. Dupont discussed proposed increases in the cigarette tax included in the draft legislation "Tobacco Amendments."

Mr. Palmer DePaulis, Commissioner, Utah State Tax Commission, stated that the cigarette tax is paid with tax stamps and not when the cigarettes are sold.

Committee discussion followed.

MOTION: Sen. Allen moved to have the a Department of Health report of how it would use any new monies for tobacco prevention, reduction, cessation, and control; what impact that use would have on state and local full-time equivalent employee counts; and what benefit would derive from that use. The motion passed unanimously. Rep. Arent was absent for the vote.

Ms. Dupont reviewed the other issues contained within the draft legislation "Tobacco Amendments."

Committee discussion followed.

Ms. Dupont reviewed the draft legislation "Public School Survey Amendments."

Committee discussion followed.

3. Report of the Physical Activity and Nutrition Subcommittee

Sen. Knudson reported on the Physical Activity and Nutrition Subcommittee and stated that the subcommittee found that there are policies on the books dealing with physical activity in schools. He also indicated that the subcommittee will present two bills to the committee.

Ms. LaDean Larson, Department of Health, made a presentation, "Bigger Is Not Necessarily Better." She reviewed information on the prevalence of obesity in the United States since 1985.

Rep. Jones reviewed draft legislation, "Nutritional Food in Schools." She stated that this legislation prevents elementary schools from having vending machines, that the sale of foods of minimal nutritional value is prohibited before the end of the lunch period, and that at least 50 percent of foods sold in vending machines must be foods of minimal nutritional value.

Rep. Seitz asked that the definition of "foods of minimal nutritional value" be added to the bill.

Mr. Paul W. Hess, Associate General Counsel, OLRGC, distributed and reviewed the legislation, "Physical Fitness in Public Schools." He indicated that this bill is intended to ensure that school lunch periods be of

sufficient duration to permit all children to choose and eat a nutritional meal. He stated that the bill also requires a minimum of 90 minutes per week of structured physical education and that the required time could not be attained by eliminating or reducing recess time.

Mr. Steve Lang, State Superintendent of Public Instruction, explained that the core curriculum in education is overtaxed with legislative mandates and there is more than can be accomplished by teachers.

Ms. Margaret Rose, Health Education Specialist, Utah State Office of Education, stated that there is a correlation in being active and learning.

Mr. Steve Peterson, Executive Director, Utah School Superintendents Association, answered questions from the committee.

4. Adult Protective Services--Presentation of Proposed Recodification

Rep. Jones distributed and explained draft legislation, "Adult Protective Services Amendments." She indicated that the last major revision to this legislation was 10 years ago when Adult Protective Services was part of the child welfare system. Rep. Jones stated that this draft legislation amends the Utah Criminal Code, revises and clarifies definitions, modifies the mandatory reporting law, and clarifies who may have access to reports.

Mr. Ron Stromberg, Adult Protective Services, Department of Human Services, stated that he believes this is a comprehensive piece of legislation.

Rep. Jones distributed a handout, "Statute Contact List," which is a list of organizations that have reviewed the draft legislation.

5. Other Business

No other business was discussed.

6. Adjourn

MOTION: Rep. Donaldson moved to adjourn the meeting at 11:58 a.m. The motion passed unanimously with Rep. Arent absent for the vote.

